

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JARDINERO INVESTMETNS [SIC] LLC,
New Mexico corporation,

Plaintiff,

vs.

CIV 23-318 GBW/SCY

CITY OF ALBUQUERQUE
Code enforcement Department,
NICOLE A SANCHEZ, Attorney for City of
Albuquerque,

Defendants.

ORDER TO SHOW CAUSE

This matter comes before the Court sua sponte. Defendants removed this case from state to federal court on April 12, 2023. Doc. 1. The named Plaintiff, Jardinero Investments LLC, is not represented by an attorney. Instead, its registered agent William Gardner signed pleadings on its behalf. Doc. 1-1 at 4. Mr. Gardner states that he is pro se and does not represent that he is an attorney. *Id.* Jardinero Investments LLC is not a natural person and this district's local rules require that an entity other than a natural person be represented by an attorney. D.N.M.LR-Civ. 83.7; *see also Harrison v. Wahatoyas, LLC*, 253 F.3d 552 (10th Cir. 2001) (“[A] corporation or other business entity can only appear in court through an attorney and not through a non-attorney corporate officer appearing pro se.”). “Absent entry of appearance by a new attorney, any filings made by the corporation, partnership or business entity other than a natural person may be stricken and default judgment [or dismissal] or other sanctions imposed.” D.N.M.LR-Civ. 83.8(c). Accordingly, Plaintiff must retain counsel, or any filings made by it may be stricken and dismissal or other sanctions imposed.

IT IS THEREFORE ORDERED that **by May 15, 2023** Plaintiff Jardinero Investments LLC must file a notice of appearance of counsel or its filings will be stricken and the case dismissed or other sanctions imposed. Alternatively, before this date, Mr. Gardner may file a motion to amend the caption to substitute himself as the named plaintiff and remove Jardinero Investments LLC.


UNITED STATES MAGISTRATE JUDGE